

REMARKS

Applicants have received and reviewed the Office Action mailed May 21, 2009. In response to the Office Action, Applicants have amended claims 38-47. Applicants have also submitted a Supplemental Information Disclosure Statement. For at least the following reasons, Applicants respectfully submit that the application, as amended, is in condition for allowance.

Interview Summary

The Examiner contacted the undersigned on May 18, 2009, to discuss the claim dependency. Applicants confirm that all claims depending from claim 1 were intended to depend from claim 37; claim 40 was to depend from claim 39; claim 41 was to depend from claim 40; and claim 45 was to depend from claim 44. It is noted that in the summary prepared by the Examiner, the Examiner states that claim 45 was intended to depend from claim 45. It is assumed that this was a typographical error in the Office Action. In fact, the undersigned had indicated that claim 45 was to depend from claim 44.

Applicants appreciate the courtesy extended by the Examiner in contacting the undersigned to clarify the claim dependencies. Applicants have amended the claims to include the proper dependencies.

Supplemental Information Disclosure Statement

Applicants are submitting herewith a Supplemental Information Disclosure Statement that cites JP 4-300612. Applicants have also included a copy of this document. The Examiner is requested to consider this information with respect to the pending claims.

Rejection of the Claims over JP 1171615

The Office Action has rejected claims 37-42 and 44-47 under 45 U.S.C. § 102(b) as anticipated by JP 1171615 to Kadoya et al. (hereafter "Kadoya"). Applicants respectfully traverse these rejections.

Claim 37 is directed to a fluted filter media construction including, among other things, a plurality of flutes extending between a fluted sheet and a facing sheet comprising a regular fold arrangement having a first layer and a second layer. The first layer comprises an inverted ridge resulting from inverting the ridge of the fluted sheet. The second layer comprises a remaining portion of the ridge of the fluted sheet folded against the first layer. An example embodiment of this claim is shown in Fig. 15. The first layer of the regular fold arrangement is shown at reference numeral 122. It results from inverting the ridge of the fluted sheet, as shown in Figs. 12 and 13 at reference numeral 110. An example embodiment of the claimed second layer of the regular fold arrangement is shown at reference numeral 124, which is a remaining portion of the ridge of the fluted sheet folded against the first layer 122.

This claimed structure is not shown or suggested in Kadoya. In Fig. 3 of Kadoya, the corrugated filter members are folded to form folding portion 4 such that the end portions 3e of their crest portions 3a are in close contact with the adjacent flat member 2, respectively. By means of this folding portion 4, end portion 3e of each crest portion 3a is closed. Kadoya fails to show the claimed regular fold arrangement in which there is a second layer comprising a remaining portion of the ridge of the fluted sheet folded against the first layer. In Kadoya, the end portions of their crests are folded, but are never folded against themselves to form the claimed second layer, which is a remaining portion of the ridge folded against the first layer.

It is respectfully submitted that independent claim 37 is allowable over Kadoya for at least these reasons. Applicants respectfully request reconsideration.

Claims 38-47 depend upon and further limit independent claim 37. It is respectfully submitted that each of these claims is patentable for at least these same reasons.

Dependent claim 43 was additionally rejected under 35 U.S.C. § 103 as obvious over Kadoya in view of U.S. Patent 5,435,958 to Dinnage et al. It is respectfully submitted that claim 43 is allowable for at least the same reasons as independent claim 37. Further, it is respectfully submitted that one of ordinary skill in the art would not have modified Kadoya with Dinnage et al. because it would undermine the basic purposes of Kadoya.

Reply to Office Action of May 21, 2009

Summary

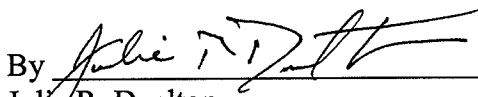
In summary, claims 37-47 are pending. Applicants have pointed out claimed limitations that are not taught or suggested by Kadoya. It is respectfully submitted that each of the claims are patentable.

If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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